No, 9958, Equity,

Wherefore your petitioners pray your Honors, to pass an order granting them Leave to take Testimony before One of the Examiners of this Court, to Prove The Allegations of Their Bill of Complaint,

H, K, DeLauter,

Solicitor for Complainants,

Courts Order

Upon the Aforegoing Petition it is this 10th day of July, 1919, by the Circuit Court For Frederick County, Sitting as a Court Of Equity, and by the Authority, Thereof adjudged and Ordered that leave Be Granted to take Testimony before any one of the Standing Examiners of this Court,

Glenn H. Worthington,

TESTIMONY.

Kennith Gainer, and Clarence Gainer, Infants, By John L, Lang, their Uncle and nexr Friend,

No, 9958, Equity,
In the Circuit Court for Frederick
County, Sitting as a Court of Equity,

۷s,

Kennith Gainer and Clarice gainer, Infants,

The above Cause standing ready for a hearing, and at issue and notice having been given Mo, by the Solicitor, for the Plaintiff, of a desire to take Testimony in said Cause I, Guy K, Motter, one of the regular Examiners of your Honorable Court, duly Appointed. qualified and sworn having assigned the 14th day of July in the Year A,D, 1919, at 30,0-clk, A.m. at my Office in Frederick, City, Maryland, as the time and place for taking testimony. in said Cause, did, at the Appointed time and Place, proceed to take the following depositions to wit:-

Present.

H, Kieffer DeLauter, Esq, sclicitor for Plaintiff, Marguette, Grims Clerk
James H, McPride, Delbort Moore, and Ponjamin Harsh Witness

Thre was filed with the Examiner as evidence Exhibit A, which is herewith filed, and enclosed

penjamin b, Marsh, a witness of lawful age produced on the part of the plaintiff, having first been duly sworn and Examined Viva, voce, deposes and says,

My Name Is Benjamin B, Harsh, i am 44 years of age and I reside at Brunswick, Frederick County Maryland, i Know the parties to this cause,

Mattie S, Gainer died intestate on or about the ------day of October 1917, leaving Surviving them two children, Kennith Dale Gainer aged about 7 years and Clarice Louise Gainer aged four years, as their Only Heirs at Law, at the time of her death Mattie S, Gainer, was seized and pessessed of the let of land in Brunswick Frederick County, Maryland, fronting on Maple avenue, and extending back to an alley, in the rear of of the said lot, being designate as lot No.196, east of Maple Avenue as Shown on the Plat of C,M,Wenners Second addition to Brunswick, I look at Exhibit "A" noe shown me it is a deed from George W, Sewell, to the said Mattie S, Gainer, Describing said lot of land,

The Improvements, on this let of land, consist of a Two story frame dwelling house, with no Modern Improvements, the house is in a fair condition and will soon meed considerabl repairing, the house is now rented and is depreciating in value by reason of no repairing or improvements to property,

in the Condition the property is Now I consider the price of Twelve Hundred Dollars, (\$1200,00) a good price for The property, in its present Condition, i am familliar with, the price of real estate, in that section and own One house and two lets adjoining this property.

The two Children both infants, are now living with their uncle, John L, Lang, at Bellington West Virginia, I have Knewn Both Mt 7 Mrs Gainer for more Than Twenty years, and h have knewn the two infant Defendants, all their lives,

Answer Nething Further

Benjamin B, Harsh,